

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Application Number: 09/319,200

CPA Filed: July 17, 2001

First Named Inventor: Roland DE LA METTRIE et al.

Group Art Unit: 1751

Examiner: M. Einsmann

Attorney Docket Number: 5725.0398-00

Attorney Customer Number: 22,852

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000 provides for continued examination of a utility or plant application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA)

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) instead of a RCE to be eligible for patent term adjustment provisions of the AIPA. See "Changes to Application Examination and Provisional Application Practice," Interim Rule, 65 Fed. Reg. 14865 (March 20, 2000). Off. Gaz. Pat. Office 47 (April 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114:

a. ☐ Previously submitted

- i. ☐ Consider the amendment(s)/reply after final under 37 C.F.R. § 1.116 previously filed on [Date] _____.
- ii. ☐ Consider the arguments in the Appeal Brief of Reply Brief previously filed on [Date] _____.
- iii. ☐ Other _____

b. ☒ Enclosed:

- i. ☒ Amendment and Submission Under 37 C.F.R. § 1.114
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement
- iv. ☐ Other _____

2. Miscellaneous

- a. ☐ Suspension of action on the above-mentioned application is requested under 37 C.F.R. § 1.103(c) for a period of [number] months. (Period of suspension shall not exceed 3 months; fee under 37 C.F.R. § 1.17(i) required.)
- b. ☐ Other _____

3. Fees

a. ☒ The filing fee is calculated as follows:

- i. ☒ \$750.00 RCE fee required under 37 C.F.R. § 1.17(e)
- ii. ☒ Petition for extension of time for (four months) \$1,450.00
- iii. ☐ Other _____

b. ☒ Check in the amount of \$2,220.00 enclosed.

c. ☒ The Commissioner is authorized to charge any deficiencies in the filing fees, or credit any overpayments to Deposit Account No. 06-0916.

Signature of Applicant, Attorney, or Agent Required

Name: Thalia V. Warnement

Reg. No.: 39,064

Signature: *Thalia V. Warnement*

Date: February 21, 2003

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents, BOX RCE, Washington, D.C. 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on: [Date]

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22852

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PATENT

Customer No. 22,852

Attorney Docket No. 5725.0398-00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Roland DE LA METTRIE et al.

Application No.: 09/319,204

CPA Filed: July 17, 2001

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) Group Art Unit: 1751
)
) Examiner: M. Einsmann
)
)

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For: COMPOSITION FOR THE OXIDATION DYEING OF KERATIN FIBERS AND
DYEING PROCESS USING THIS COMPOSITION (AMENDED)

Commissioner for Patents
Washington, DC 20231

Sir:

AMENDMENT AND SUBMISSION UNDER 37 C.F.R. § 1.114

This amendment is filed together with a Request for Continued Examination (RCE) and fulfills the requirements of a "Submission" under 37 CFR § 1.114. The Amendment and RCE are timely filed in view of the Notice of Appeal and Petition for Extension of Time filed September 4, 2002, and the attached Petition for Extension of Time, extending the period for filing from November 4, 2002 to March 4, 2003 (four months). Please amend the application as follows:

IN THE SPECIFICATION:

Please replace the paragraph found in Applicants' specification at page 16, lines 2-13, with that found below. A marked-up version of the paragraph showing the present changes can be found in the Appendix.

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--R₁₈, R₁₉, R₂₀ and R₂₁, which may be identical or different, denote a hydrogen atom, a C₁-C₄ alkyl radical, an aryl radical, a C₁-C₄ hydroxyalkyl radical, a C₂-C₄